



Feinstein, Bipartisan Group of Senators Urge White House to Reimburse States and Counties for Incarceration of Undocumented Criminal Aliens
March 9, 2004

Washington, DC – A bipartisan group of senators is calling on the Bush Administration to add \$850 million in funding to the federal budget to assist states with the cost of incarcerating undocumented criminal offenders.

In a letter initiated by U.S. Senator Dianne Feinstein (D-CA) and signed by eleven other Senators last week, the group urged President Bush to reconsider his proposed elimination of funding for the State Criminal Alien Assistance Program (SCAAP).

The letter was signed by Jeff Bingaman (D-NM), Barbara Boxer (D-CA), Maria Cantwell (D-WA), John Cornyn (D-TX), Mike Crapo (R-ID), Pete Domenici (R-NM), Bob Graham (D-FL), Kay Bailey Hutchison (R-TX), Jon Kyl (R-AZ), John McCain (R-AZ), Charles Schumer (D-NY) and Feinstein.

The letter stated: "We write out of deep concern over your Fiscal Year 2005 Budget proposal to cut funding for the State Criminal Alien Assistance Program (SCAAP) by 100 percent. In addition, we are concerned that you propose eliminating this program altogether based on the Office of Management and Budget's assessment of the program."

SCAAP funding assists state and local governments in recovering the costs associated with the incarceration of undocumented criminal aliens. In California, where around 15 percent of state prison inmates are undocumented, the funding is vital to the state's correctional system. During Fiscal Year 2003, California received \$95.3 million in SCAAP funding, \$11.5 million of which went to Los Angeles County alone.

The letter continued:

"We ask that you reconsider both of these recommendations and, instead, at a minimum, support funding this program at \$850 million. SCAAP is a vitally important program that assists states and localities in recovering the costs associated with the incarceration of undocumented criminal aliens. We would strongly oppose cuts or elimination of this critical program.

As you are well aware, control of our nation's borders is under the exclusive jurisdiction of the Federal government. Unfortunately, Federal efforts are often not adequate to combat illegal immigration. As a consequence, such high impact states as California, New York, Texas, Arizona, New Mexico, Florida, Illinois and Washington

continue to face extraordinary costs associated with incarcerating criminal aliens. Much of these costs are borne by counties, some of which are among the poorest in the nation and traditionally operate with slim budgets and staffing.

Nationwide the cost of incarceration for undocumented criminal aliens *exceeds* the annual SCAAP appropriation, yet your FY 2005 budget proposal eliminates this much needed funding.

Unless the Administration supports and Congress appropriates sufficient funds for SCAAP, our state and local governments will continue to unfairly shoulder the burden of bearing the costs of a Federal responsibility. Given the upward trend in incarceration costs, any additional shortfall in SCAAP funding would force states to draw funds away from other, cash-strapped crime control and prevention programs. In short, the impact on the states would be devastating. As a former governor of Texas you are well aware of the need for this program and in fact wrote to the Congress in support of the program.

Therefore, we urge you to support funding for this important program at a level of \$850 million.”

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